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EXAMINER	
RILEY, MARCUS T	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/773,023	HARADA ET AL.	
	Examiner	Art Unit	
	Marcus T. Riley	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 2/04/04.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 2/04/04 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date attached.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Claims 1&2 are objected to because of the following informalities:

Regarding claim 1; claim 1 recites in part…

a) *"...frame group has are contained..."* This appears to be a typographical error. Suggest deleting the word *"has"*. It assumed for continued examination purposes that it is intended to be *"...frame group are contained..."*.

b) *"...a film holder provided at a position where when a first corner ..."* This appears to be a typographical error. Suggest deleting the word *"when"*. It assumed for continued examination purposes that it is intended to be *"...a film holder provided at a position where a first corner ..."*.

Regarding claim 2; claim 1 recites in part…

a) *"between the first and second corners corner wherein one..."*. This appears to be a typographical error. Suggest deleting the word *"corner"*. It assumed for continued examination purposes that it is intended to be *"between the first and second corners wherein one..."*.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 5 &7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itano et al. (US 5,835,201 hereinafter, Itano '201) in view of Kurosawa (US 6,982,816 hereinafter, Kurosawa '816) and Kurosawa et al. (US 6,714,324 hereinafter, Kurosawa '324).

Regarding claim 1; Itano '201 discloses a film holder for holding a transparency, the film holder being adapted to be put on an original bed of a flatbed image reader which is capable of reading a transparency and includes a read area meeting as many frames as a half the number of frames of one roll of strip film, the film holder comprising: when a corner on a side opposite to the first corner of the film holder in the longitudinal direction is matched with a second corner on a side opposite to the first corner of the original bed in a lateral direction, a second frame group having frames other than the first frame group are contained in the read area (*"One object of the present invention is thus to allow both a laterally long image and a vertically long image to be promptly displayed as an erecting image without any specific operations but only by inserting an original holder in an appropriate direction into an image reading apparatus."* column 2, lines 33-37).

Itano '201 does not disclose a strip film holder mechanism for holding the strip film, in a longitudinal direction.

Kurosawa '816 discloses a strip film holder mechanism for holding the strip film, in a longitudinal direction (*"The film 200 held by the film holder 201 is comprised of a film strip obtained by dividing a 35 mm film into lengths of, for example, six frames. The film holder 201 holding this film 200 is formed into a strip shape of dimensions somewhat larger than the film*

200. At the substantial center in the thickness direction, a slot 202 for inserting the film 200 is formed over the entire length in the longitudinal direction." column 3, lines 38-42).

They are combinable because they are from the same field of endeavor of scanners (*"The present invention relates to a film scanner for scanning an image..."* Kurosawa '816 at column 1, lines 6-7).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the flatbed scanner as taught by Itano '201 by adding a strip film holder as taught by Kurosawa '816.

The motivation for doing so would have been to provide a film scanner which achieves simplification of the structure and enables scanning at a higher resolution (*"Therefore, an object of the present invention is to provide a film scanner which achieves simplification of the structure and enables scanning at a higher resolution..."* Kurosawa '816 at column 1, lines 61-63).

Therefore, it would have been obvious to combine Itano '201 with Kurosawa '816 to obtain the invention as specified in claim 1.

The combination of Itano '201 and Kurosawa '816 does not expressly disclose a film holder provided at a position where a first corner of the film holder is matched with a first corner of the original bed having the same positional relationship as the first corner of the film holder, a first frame group having, as many frames as the half the number of the frames are contained in the read area.

Kurosawa '324 discloses a film holder provided at a position where a first corner of the film holder is matched with a first corner of the original bed having the same positional relationship as the first corner of the film holder, a first frame group having, as many frames as the half the number of the frames are contained in the read area ("*On the film holder 201a, six frame windows 203a corresponding to the six images of the film strip 200a are formed, and, on the film holder 201b, three frame windows 203b corresponding to the three images of the film strip 203b are formed.* column 5, lines 4-8).

They are combinable because they are from the same field of endeavor of scanners ("*The present invention relates to a film scanner for scanning images...* " Kurosawa '324 at column 1, lines 6-7).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the scanners as taught by Itano '201 and Kurosawa '816 by adding a film holder provided at a position where a first corner of the film holder is matched with a first corner of the original bed having the same positional relationship as the first corner of the film holder as taught by Kurosawa '324.

The motivation for doing so would have been to provide an improved film scanner where the scanning condition is automatically adjusted. ("*It is therefore an object of the invention to provide an improved film scanner in which, when films to be scanned are exchanged, the scanning condition is automatically adjusted.* " Kurosawa '324 at column 2, lines 5-9).

Therefore, it would have been obvious to combine Itano '201 and Kurosawa '816 with Kurosawa '324 to obtain the invention as specified in claim 1.

Regarding claim 2; Itano '201discloses a pair of guide parts between the first and second corners corner where one of the guide parts close to the first corner indicates the second frame group and the other of the guide parts close to the second corner indicates the first frame group (*"First and second guide grooves 16 and 18 functioning as corresponding engagement means are formed on a rear face of the lower frame 12 of the original holder 10 as clearly seen in FIG. 5."* column 5, lines 28-31).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itano '201, Kurosawa '816 and Kurosawa '324 as applied to claim 1above, and further in view of Huang (US 7,106,480 hereinafter, Huang '480).

Regarding claim 3; The combination of Itano '201, Kurosawa '816 and Kurosawa '324 discloses wherein the film holder mechanism is provided at a position where when a third corner at a diagonal position to the first corner of the film holder is matched with the first corner of the original bed or a fourth corner a side opposite to the first corner in a lateral direction is matched with the second of the original bed, the slide film is contained in the read area (*"One object of the present invention is thus to allow both a laterally long image and a vertically long image to be promptly displayed as an erecting image without any specific operations but only by inserting an original holder in an appropriate direction into an image reading apparatus."* Itano '201 at column 2, lines 33-37).

The combination of Itano '201, Kurosawa '816 and Kurosawa '324 does not disclose a slide film holder mechanism for holding slide film.

Huang '480 discloses a slide film holder mechanism for holding slide film (*"Refer to FIG. 5 which illustrates use of a media, for example a slide, where the film media is mounted in a housing."* column 7, lines 54-56).

They are combinable because they are from the same field of endeavor of scanners (*"The present invention relates to a scanner"* Huang '480 at column 1, line 6).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the scanner as taught by Itano '201, Kurosawa '816 and Kurosawa '324 by adding a slide film holder mechanism for holding slide film as taught by Huang '480.

The motivation for doing so would have been to provide a scanner that proves high resolution and excellent quality scanned images while being easy to maintain (*"Thus the present invention proves high resolution and excellent quality scanned images while be easy to maintain."* Huang '480 at column 2, lines 8-10).

Therefore, it would have been obvious to combine Itano '201, Kurosawa '816 and Kurosawa '324 with Huang '480 to obtain the invention as specified in claim 1.

Regarding claim 4; Itano '201 discloses a guide part between the third and fourth corners of the film holder wherein the guide part indicates frames of the slide film (*"First and second guide grooves 16 and 18 functioning as corresponding engagement means are formed on a rear face of the lower frame 12 of the original holder 10 as clearly seen in FIG. 5."* column 5, lines 28-31).

Regarding claim 5; Itano '201 discloses an image reader comprising: a flatbed image reader main unit including an original bed on which an original is put on a read area meeting as many frames as a half the number of frames of one roll of film and capable of reading a transparency, a film holder for holding the transparency adapted to be placed on the original bed, the film holder including a ("*A transparent original, such as a film, is held between the lower frame and the upper frame. The conventional original holder generally has an oblong shape and is inserted in a specified direction into the slot 902 of the flat bed scanning-type image reading apparatus 900.*" column 1, lines 27-31); when a second corner on a side opposite to the first corner of the film holder in the longitudinal direction is matched with a second corner on a side opposite to the first corner of the original bed in a lateral side direction, a second frame group having frames other than the first frame group has are contained in the read area (*"One object of the present invention is thus to allow both a laterally long image and a vertically long image to be promptly displayed as an erecting image without any specific operations but only by inserting an original holder in an appropriate direction into an image reading apparatus.*" column 2, lines 33-37); where the film holder includes a pair of guide parts between first and second corners of the film holder, in which a first of the guide parts close to the first corner indicates the second frame group and a second of the guide parts close to the second corner indicates the first frame group, and the original bed includes a first guide indication part for indicating the first frame group a position corresponding to the second corner of the film holder when the first corner of the film holder is matched with the first corner of the original bed and a second guide indication part for indicating the second frame group at a position corresponding to the first of the guide parts when the second corner of the film holder is matched with the second corner of

the original bed (*"First and second guide grooves 16 and 18 functioning as corresponding engagement means are formed on a rear face of the lower 12 of the original holder 10 as clearly seen in FIG. 5. The first and the second guide grooves 16 and 18 are formed along two sides of the lower frame 12 perpendicular to each other, so as to restrict the insertion of the original holder 10 to two directions."* column 5, lines 28-35). Kurosawa '816 discloses a strip film holder mechanism for holding the strip film, the strip in a longitudinal direction, which is provided at a position (*"The film 200 held by the film holder 201 is comprised of a film strip obtained by dividing a 35 mm film into lengths of, for example, six frames. The film holder 201 holding this film 200 is formed into a strip shape of dimensions somewhat larger than the film 200. At the substantial center in the thickness direction, a slot 202 for inserting the film 200 is formed over the entire length in the longitudinal direction."* column 3, lines 38-42). Kurosawa '324 discloses where a first corner of the film holder is matched with a first corner of the original bed having the same positional relationship as the first corner of the film holder, a first frame group having frames as many frames as the half the number of frames are contained in the read area (*"On the film holder 201a, six frame windows 203a corresponding to the six images of the film strip 200a are formed, and, on the film holder 201b, three frame windows 203b corresponding to the three images of the film strip 203b are formed."* column 5, lines 4-8).

Regarding claim 7; Itano '201 discloses a film holder for holding a transparency, the film holder being adapted to be put on an original bed of a flatbed image reader which is capable of reading a transparency and includes a read area meeting as many frames as a half the number of frames of one roll of strip film and can read a transparency, the film holder comprising: when a second corner on a side opposite to the first corner of the film holder in the longitudinal

direction is matched with a second corner on a side opposite to the first corner of the original bed in a lateral direction, a second frame group having frames other than the first frame group has are contained in the read area (*"One object of the present invention is thus to allow both a laterally long image and a vertically long image to be promptly displayed as an erecting image without any specific operations but only by inserting an original holder in an appropriate direction into an image reading apparatus."* column 2, lines 33-37); an identification hole being provided in the proximity of the strip film holder mechanism at a position contained in the read area when the first corner is matched with the first corner of the original bed, or at a position contained in the read area when the second corner of the film holder is matched with the second corner of the original bed (*"a discrimination aperture reading unit 185 for activating the photo sensor 122 to read the number of through holes included in either the first discrimination aperture 24 or the second discrimination aperture 26 of the original holder 10."* column 7, lines 1-5). Kurosawa '816 discloses a strip film holder mechanism for holding the strip film in a longitudinal direction (*"The film 200 held by the film holder 201 is comprised of a film strip obtained by dividing a 35 mm film into lengths of, for example, six frames. The film holder 201 holding this film 200 is formed into a strip shape of dimensions somewhat larger than the film 200. At the substantial center in the thickness direction, a slot 202 for inserting the film 200 is formed over the entire length in the longitudinal direction."* column 3, lines 38-42). Kurosawa '324 discloses which is, provided at a position where when a first corner of the film holder is matched with a first corner of the original bed having the same positional relationship as the first corner of the film holder, a first group having frames as many frames as a the half the number of frames film are contained in the read area ("*On the film holder 201a, six frame windows 203a corresponding to the six*

images of the film strip 200a are formed, and, on the film holder 201b, three frame windows 203b corresponding to the three images of the film strip 203b are formed." column 5, lines 4-8).

5. **Claims 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Itano '201 in combination with Huang '480.

Regarding claim 6; Itano '201 discloses where the film holder mechanism is provided at a position where, when a third corner at a diagonal position to the first corner of the film holder is matched with the first corner of the original bed or a fourth corner on a side opposite to the first corner in the lateral direction is matched with the second corner of the original bed, the slide film is contained in the read area (*"One object of the present invention is thus to allow both a laterally long image and a vertically long image to be promptly displayed as an erecting image without any specific operations but only by inserting an original holder in an appropriate direction into an image reading apparatus."* column 2, lines 33-37); a guide part provided between the third and fourth corners of the film holder, and wherein the original bed includes a third guide indication part for indicating the frame of the slide film at position corresponding to the third guide part when the third corner of the film holder is matched with the first corner of the image reader of the original bed or the fourth corner of the film holder is matched with the second corner of the original bed (*"First and second guide grooves 16 and 18 functioning as corresponding engagement means are formed on a rear face of the lower frame 12 of the original holder 10 as clearly seen in FIG. 5."* column 5, lines 28-31).

Itano '201 does not disclose a slide film holder mechanism for holding a slide film.

Huang '480 discloses a slide film holder mechanism for holding a slide film (*"Refer to FIG. 5 which illustrates use of a media, for example a slide, where the film media is mounted in a housing."* column 7, lines 54-56).

They are combinable because they are from the same field of endeavor of scanners (*"The present invention relates to a scanner"* Huang '480 at column 1, line 6).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the scanner as taught by Itano '201 by adding a slide film holder mechanism for holding slide film as taught by Huang '480.

The motivation for doing so would have been to provide a scanner that proves high resolution and excellent quality scanned images while being easy to maintain (*"Thus the present invention proves high resolution and excellent quality scanned images while be easy to maintain."* Huang '480 at column 2, lines 8-10).

Therefore, it would have been obvious to combine Itano '201 with Huang '480 to obtain the invention as specified in claim 1.

6. **Claims 8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Itano '201 in combination with Kurosawa '816.

Regarding claim 8; Itano '201 discloses an image read controller for controlling a flatbed image reader which has a read area meeting as many frames as a half the number of frames of one roll of strip film and can read a transparency, the image read controller comprising: a determination unit that determines whether or not an image of an identification

hole exists as a position of an image of a film read by the image reader corresponding to a predetermined position in the read area (*"a discrimination aperture reading unit 185 for activating the photo sensor 122 to read the number of through holes included in either the first discrimination aperture 24 or the second discrimination aperture 26 of the original holder 10."* column 7, lines 1-5); a preview unit that previews frames of the read film while changing the display order and the rotation direction of the frames changed in response to the determination result of the determination unit (*"The latter structure allows the original holder 510 to be inserted into the flat bed scanner 600 in the 180-degree direction and the 270-degree direction in addition to the 0-degree direction and the 90-degree direction. This structure gives an image of a desired direction with the higher degree of freedom. In this case, four sets of slits and sealing members are preferably formed symmetrically about a point by integral multiples of 90 degrees. This allows one photo sensor 622 to detect the light transmitting patterns of the four slits."* column 12, lines 58-67).

Itano '201 does not disclose that the film is a strip film.

Kurosawa '816 discloses a strip film (*"The film 200 held by the film holder 201 is comprised of a film strip obtained by dividing a 35 mm film into lengths of, for example, six frames. The film holder 201 holding this film 200 is formed into a strip shape of dimensions somewhat larger than the film 200. At the substantial center in the thickness direction, a slot 202 for inserting the film 200 is formed over the entire length in the longitudinal direction."* column 3, lines 38-42).

They are combinable because they are from the same field of endeavor of scanners (*"The present invention relates to a film scanner for scanning an image...."* Kurosawa '816 at column 1, lines 6-7).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the flatbed scanner as taught by Itano '201 by adding a strip film holder as taught by Kurosawa '816.

The motivation for doing so would have been to provide a film scanner which achieves simplification of the structure and enables scanning at a higher resolution (*"Therefore, an object of the present invention is to provide a film scanner which achieves simplification of the structure and enables scanning at a higher resolution..."* Kurosawa '816 at column 1, lines 61-63).

Therefore, it would have been obvious to combine Itano '201 with Kurosawa '816 to obtain the invention as specified in claim 1.

Regarding claim 9; Itano '201 discloses an image read controller according to claim 8 wherein the preview unit previews the frames with the frames rotated 90 degrees in the read order or with the frames rotated -90 degrees in the order reverse to the read order in response to the determination result of the determination unit (*"The latter structure allows the original holder 510 to be inserted into the flat bed scanner 600 in the 180-degree direction and the 270-degree direction in addition to the 0-degree direction and the 90-degree direction. This structure gives an image of a desired direction with the higher degree of freedom. In this case, four sets of slits and sealing members are preferably formed symmetrically about a point by integral*

multiples of 90 degrees. This allows one photo sensor 622 to detect the light transmitting patterns of the four slits." column 12, lines 58-67).

Regarding claim 10; Itano '201 a recording medium storing a program for causing a computer to function as an image read controller for controlling a flatbed image reader which has a read area meeting as many frames as a half the number of frames of one roll of strip film and can read a transparency, the program causing the computer to function as: discloses a determination unit that determines whether or not an image of an identification hole exists at a position of an image of strip film read by the image reader corresponding to a predetermined position in the read area (*"a discrimination aperture reading unit 185 for activating the photo sensor 122 to read the number of through holes included in either the first discrimination aperture 24 or the second discrimination aperture 26 of the original holder 10."* column 7, lines 1-5); a preview unit that previews the frames of the read strip film while changing the display order and the rotation direction of the frames changed in response to the determination result of the determination unit (*"The latter structure allows the original holder 510 to be inserted into the flat bed scanner 600 in the 180-degree direction and the 270-degree direction in addition to the 0-degree direction and the 90-degree direction. This structure gives an image of a desired direction with the higher degree of freedom. In this case, four sets of slits and sealing members are preferably formed symmetrically about a point by integral multiples of 90 degrees. This allows one photo sensor 622 to detect the light transmitting patterns of the four slits."* column 12, lines 58-67). Kurosawa '816 discloses a strip film (*"The film 200 held by the film holder 201 is comprised of a film strip obtained by dividing a 35 mm film into lengths of, for example, six frames. The film holder 201 holding this film 200 is formed into a strip shape of dimensions*

somewhat larger than the film 200. At the substantial center in the thickness direction, a slot 202 for inserting the film 200 is formed over the entire length in the longitudinal direction." column 3, lines 38-42).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus T. Riley whose telephone number is 571-270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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